

YOUTH SERVICES POLICY

Title: Transporting Youth by Community Based Services Next Annual Review Date: 04/28/2017	Type: D. Community Based Services Sub Type: 10. Supervision Number: D.10.11
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References: La. R.S. 39:1543; La. Children's Code Arts. 735(C), 737, 813, 814 and 815; and ACA Standards 2-7162, 2-7168, 2-7169 (Juvenile Probation and Aftercare Services); YS Policy C.2.20 "Youth Transport - Secure Care Facilities and D.10.27 "Search of Juveniles"	
STATUS: Approved	
Approved By: Mary L. Livers, Deputy Secretary	Date of Approval: 04/28/2016

I. AUTHORITY:

Deputy Secretary of Youth Services (YS) as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

II. PURPOSE:

To promote public safety through the safe and secure operation of YS Community Based Services (CBS) by providing essential uniform instructions to staff for properly transporting youth.

III. APPLICABILITY:

Deputy Secretary, Assistant Secretary, Chief of Operations, Deputy Assistant Secretary, Regional Directors, Regional Managers, and employees of CBS.

IV. DEFINITIONS:

Agency - Youth Services, Office of Juvenile Justice.

Agency Approved Restraints - Handcuffs, flex cuffs, shackles/leg irons, or restraint belts.

Chemical Agent - Any product which is dispensed by means of an aerosol spray to control an individual's combative and/or resistive behavior.

Community Based Services (CBS) - Formerly known as the Division of Youth Services including the regional probation and parole offices located throughout the state.

Juvenile Electronic Tracking System (JETS) - The centralized database utilized to track all youth in OJJ custody or under OJJ supervision.

Officer - Any Community Based Services (CBS) Regional Manager, Program Specialist, Supervisor or Probation and Parole Officer/Juvenile (PPO/J), who is a commissioned Special Agent.

PPCT Defensive Tactics System (PPCT) - A researched based use of force subject control system developed through tactical, legal and medical research.

PPO/J - Includes CBS probation officers (Probation and Parole Officer 1, 2 and 3/Juvenile).

Regional Director - The Deputy Assistant Secretary responsible for the oversight of all functions and operations of the Community Based Services Regional Offices and the secure care facility in their assigned Region.

Secure Facility - Any juvenile detention center, secure facility for youth, adult jail, or prison.

Transport Officer – Any employee whose main function is transporting youth. This employee must have been trained in PPCT (including intermediate weapons), use of chemical agents, officer survival and adolescent behavior.

Unusual Occurrence Report (UOR) – A document that must be completed by staff to report incidents or observations of events that may have an impact on any aspect of the agency. UOR forms shall be made available to all employees, working all areas at all times. Employees must complete and submit a UOR prior to the end of their tour of duty on the day the incident was observed or comes to the employee's attention in any way. If a UOR form is not available, the employee must use any paper available to report the pertinent information. UORs may also be submitted by email. (Refer to YS Policy No. A.1.14)

V. POLICY:

CBS shall comply with any court order directing the Agency to take physical custody of a youth and transport him to a secure facility, residential facility or shelter facility, in accordance with the La. Children's Code Articles. 735(C), 737, 813, 814 and 815.

It is also the responsibility of CBS to arrange transportation for any youth admitted or discharged from a non-secure placement or secure facility, i.e. juvenile detention center, secure care center for youth, adult jail, or prison.

Youth shall be supervised in such a manner that will prevent escapes and ensure that no harm is done to the youth or others. (Refer to YS Policy No. C.2.1 for escape procedures, and the reporting and documenting of escapes, runaways, and apprehension.)

VI. PROCEDURES:

- A. The following procedures shall be followed to minimize danger to staff, youth and the public:
 - 1. Only an Officer or Transport Officer, as defined above, is allowed to transport youth;
 - 2. YS employees shall complete training in PPCT (including intermediate weapons), the use of a chemical agent, officer survival and adolescent behavior prior to transporting or assisting in the transport of youth;
 - 3. A state vehicle shall be used when transporting youth;
 - 4. All occupants shall remain properly secured by seat belt for the duration of the transport;
- B. YS Policy No. A.2.48 establishes an effective "Driver Safety Program" to increase the safety of YS employees, control the use of vehicles used in the performance of state-related business, reduce the state's liability exposure, reduce loss expenses, achieve accountability, and meet the requirements of Louisiana Revised Statute 39:1543.(1)(f).
- C. The assigned officer is responsible for arranging transportation of the youth being admitted or discharged from a non-secure or a secure center for youth. If the youth is returning to his home, transportation may be provided by the parent/guardian; however, if the parent/guardian is unable or unwilling to provide transportation, the assigned officer is responsible for arranging the transport.
- D. The employee assigning transports shall take into consideration the number of youth being transported, physical size, current offense, and emotional state, history of violent behavior or escapes, and purpose of the trip.
- E. Generally, employees should not transport youth of the opposite sex unless accompanied by another employee of the same sex as the youth or by the youth's parent or other concerned adult.

The Regional Manager/designee may authorize exceptions to this procedure on a case-by-case basis for the following reasons ONLY:

- 1. If an emergency situation exists; or
- 2. In the case of a female PPO/J, transporting a male youth and PPO/J and Regional Manager are confident that little or no risk to the youth or officer is present.

In such cases, a case narrative shall be entered in the youth's case record in JETS indicating prior approval and the reason for the exception.

- F. Physical searches shall be conducted pursuant to YS Policy D.10.27.
- G. Prior to placing a youth in a vehicle for transport, the vehicle shall be thoroughly searched. Any contraband, or items which may be used as a weapon, or items which may aid in an escape shall be removed to prevent the youth's access during the transport.
- H. The Officer/Transport Officer shall conduct a pat down search and metal scan (if available) prior to placing the youth in a vehicle for transport.
- I. Agency approved restraint devices shall be used during transports to/from secure facilities. Agency approved restraint devices may be used at the PPO/J or Transport Officer's discretion during all other transports. The use of any unapproved restraint device is prohibited.

Use of mechanical restraints on pregnant youth shall be limited to hand restraints only.

- J. A thorough search of the youth's personal belongings (purse, clothing, bags, boxes, etc.) shall also be conducted. Any weapons or contraband located during the search should be removed.
- K. All carry-on items, including jewelry, belts, hats, hair coverings, scarves, and medication shall be placed in the trunk of the vehicle or out of the reach of the youth when no trunk is available.

The removal of shoe strings from the youth's shoes shall be at the discretion of the Transport Officer or PPO/J.

- L. If the youth is being transported to a non-secure facility for residential placement, the youth's personal possessions shall be inventoried and given to the facility staff upon arrival. If the youth is returning home, all personal possessions shall be returned upon completion of the transport.
- M. The following precautions shall be followed when utilizing restraint devices:
 - 1. The PPO/J or Transport Officer shall apply the restraints or check to ensure restraints have been properly applied by non-CBS staff;
 - 2. DOUBLE LOCK the restraints;
 - 3. The use of any device which attaches/binds the handcuffs/flex-cuffs to the leg irons/shackles, commonly known as "hog-tying" is prohibited;

4. Never assume the youth is helpless because he is in restraints;
5. Be particularly alert when applying or removing restraints since this is an opportunity for the youth to attack or attempt to escape;
6. Use of restraining belt with handcuffs and leg irons is the safest and most humane way to transport, especially if the trip is lengthy;
7. If handcuffs are used without a restraining belt, the youth's hands will be cuffed behind his back and the handcuffs will be passed through the youth's belt or belt loop;
8. Youth are NEVER to be physically fastened to a vehicle;
9. Restraints are never to be applied in such a manner as to restrict blood circulation or breathing;
10. Once restrained, the youth shall not be left in a prone position for an extended period of time.

- N. When a youth assigned to a secure care facility is transported off-campus, he shall be placed in Agency approved restraints.

Exception: Restraints are not required when the youth is being released from secure custody, attending an educational program outside the secure facility, going on furlough, working at a job outside the secure facility, or going for a pre-placement interview at a non-secure program.

- O. A PPO/J or Transport Officer may use Agency approved restraints whenever he determines it is necessary for his safety or the safety of the youth during non-secure transports.

This determination should be based on the following criteria:

1. The youth's emotional state;
2. The destination and distance;
3. The youth's history of runaways or escapes;
4. Whether there are other people in the vehicle; and
5. The PPO/J's relationship with the youth and any unusual circumstances surrounding the trip.

- P. Whenever there is a transfer of youth to another officer to complete the transport, it is the transporting PPO/J's or Transport Officer's responsibility to relay relevant information to the receiving officer regarding the youth's history of behaviors (runaway, self-mutilation, violent behavior, etc.) that may affect the safety of the youth, officers or other youth during the transport.

Q. Courtroom Procedures

The following courtroom procedures shall be followed when a youth is being transported to a court hearing. (Refer to YS Policy No. C.2.20, Section IX. D)

1. Prior to a youth entering a courtroom for a hearing, all restraints shall be removed from the youth. Immediately following the hearing, upon the youth's exit from the courtroom, all restraints shall be reapplied. Staff shall remain in proximate distance of the youth at all times, both inside and outside of the courtroom during this restraint free period.
2. Youth awaiting their court hearing shall be escorted to the holding room, where they shall be monitored by staff until their court hearing. The youth shall remain in full restraints at all times prior to entering the courtroom.
3. If the youth is displaying uncooperative and/or unusual behavior, the staff shall consult with the judge to determine if restraints should remain in place during the hearing. Upon concurrence of the court, restraints' may remain.
4. Lack of restraint use and youth's behavior during a court hearing shall be documented in a Case Narrative in JETS within seven (7) days by the youth's assigned PPO/J.

- R. The PPO/J shall document the outcome of the court hearing in JETS, as well as notify their supervisor immediately upon return.

VII. DOCUMENTATION OF VIOLATIONS:

Documentation of a youth violation shall be reported on a UOR prior to the end of the reporting employee's tour of duty, and submitted to the employee's supervisor as outlined in YS Policy No. A.1.14.

VIII. STAFF DEVELOPMENT:

- A. All current CBS employees shall receive pre-service and annual in-service training relative to the contents of this policy.

- B. All new CBS employees shall receive this training either during pre-service training or other designated time, but prior to participating in a youth transport.
- C. Documented training shall be entered in the "Training Records Entry Completed" (TREC) database at the unit level.

Previous Regulation/Policy Number: D.10.11

Previous Effective Date: 03/18/2014

Attachments/References: